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PROVINCE HOUSE

BYE-LAWS

OF THE

Provincial Hospital for the Insane,

AT

DARTMOUTH, HALIFAX, N. S.

WITH THE

ACT OF THE LEGISLATURE,

(Passed 7th May, 1858.)

HALIFAX, NOVA SCOTIA :

PRINTED BY JAMES BOWES & SONS.

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OFFICERS FOR MANAGEMENT.

Commissioners.

D. McNEIL PARKER, Esq., M. D., Chairman.
GEORGE H. STARR, Esq.
DANIEL CREAMER, Esq.
SAMUEL A. WHITE, Esq.
DAVID FALCONER, Esq.
JOHN A. BELL, Esq.
JOHN DOUIL, Esq.
DOMINICK FARRELL, Esq.
JOHN W. FITCHIE, Esq.

Superintendent and Physician.

JAMES R. DeWOLF, Esq., M. D.

Steward.

Matron.

Secretary and Treasurer to the Commissioners.

JAMES H. LIDDELL, Esq.

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An Act for the Management of the Hospital for the Insane,

(Passed the 7th day of May, A. D., 1858.)

BE it enacted by the Governor, Council, and Assembly, as follows :

1. The title of the institution shall be the Provincial Hospital for the Insane, and its object shall be the most humane and enlightened curative treatment of the Insane of this Province.

2. The management of the hospital shall be vested in a board of nine commissioners, to be appointed by the Governor in Council, who are hereby created a body corporate, by the name of "The Commissioners of the Provincial Hospital for the Insane." The term of office of three of the nine commissioners shall expire on the thirtieth day of June, A. D., one thousand eight hundred and sixty, and of three others bi-ennially thereafter, on the same day of the year. The vacancies shall be filled on the same day or as soon thereafter as can be conveniently done, and retiring commissioners may be re-appointed. The order in which the term of office of the first nine commissioners shall expire shall be determined by lot, and should any vacancy occur by death, resignation, or otherwise, such vacancy shall be filled by appointment for the unexpired term of such commissioner.

3. The commissioners at their first meeting, to be called by the senior commissioner, shall elect a treasurer, who shall give bonds for the faithful discharge of his duties, in such sum and

with such securities as may be required by the Governor in Council, and shall receive such salary as the commissioners may appoint, subject to the approval of the Governor in Council.

4. The Governor in Council shall appoint a medical superintendent, whose salary shall be three hundred pounds per annum, with the board and lodging of himself and family—and also shall appoint on the nomination of the medical superintendent a steward and matron, whose salaries the Governor in Council shall determine.

5. The commissioners shall make all needful bye-laws for the government of themselves and the hospital, not inconsistent with this act nor with the laws of the province. But before such bye-laws shall have effect they shall be submitted to and approved by the Governor in Council.

6. The commissioners shall visit the hospital at stated periods, and shall exercise a careful supervision over its expenditures and general operations. They shall make annually to the Governor, for the information of the legislature, a full account of their receipts and expenditures, and a detailed report of the progress, the condition, and wants of the institution, accompanied by a complete statement and report from the medical superintendent of the subjects under his immediate supervision and control. The commissioners shall have the general control and management of all the property and concerns of the hospital, not otherwise provided for by law.

7. The commissioners may take and hold in trust for the hospital any grant devise of land, or any donation or bequest of money, or other personal property, to be applied to the maintenance of insane persons, or to the general use of the hospital, or in such manner as shall have been or may hereafter be devised.

8. No commissioner shall receive any compensation for his services as commissioner, nor shall he hold any office or employ-

ment connected with the hospital from which any emolument can be derived, nor shall he be interested, as security or otherwise, in any contract for or on account of the hospital.

9. The medical superintendent shall be the chief executive officer of the hospital. He shall be a well educated physician, and shall, with his family, reside on the premises, and devote his whole time to the welfare of the institution.

10. He shall, subject to the approval of the commissioners, engage and discharge all needful attendants and assistants for the care of the insane, and all servants connected with the establishment, and all labourers on the farm, and shall determine their wages and duties, subject to the judgment and control of the commissioners.

11. The admission of insane patients from the several counties of the province shall be in the ratio of their insane population.

12. The several constituted authorities having care and charge of the poor in the respective counties, poor districts, and townships, shall have authority to send to the hospital when vacancies occur therein, and when they shall be entitled, under this act, such insane paupers under their charge as are most likely to be benefited by hospital treatment, that is to say: cases of recent occurrence in preference to those whose insanity has been of longer duration; and those counties, poor districts, or townships, shall be severally chargeable with the expenses of the care and maintenance and removal, to and from the hospital, of such paupers as have obtained a settlement in their respective counties, poor districts and townships. The overseers of the poor, or other constituted authorities, having care or charge of the poor of such counties, poor districts, or townships, as well those then in office as those thereafter coming into office, while the said expenses are accruing, and until the same are fully paid, shall be answerable to the commissioners for the amount from time to

time due, as the representatives of the counties, poor districts, and townships, from which the said pauper insane shall have been sent to the hospital. And it shall be the duty of the said overseers of the poor, or other constituted authorities, to cause provision, from time to time, to be made for raising the necessary funds by assessment, as in the cases of other charges for the support of the poor, so that the amounts due to the commissioners for the care of such insane paupers may be punctually paid as the same become due.

13. If the guardian, overseers of the poor, or other parties, to whom the expense of any patient who shall be in the hospital is chargeable, shall neglect, or upon demand made shall refuse to pay to the commissioners the expense of the care, maintenance and removal of such patient, and also, in the event of death, the funeral expenses of such patient, the commissioners are hereby authorized and empowered to collect the same as debts of a like nature are now collected.

14. If application be made to any two justices of the peace for the commitment to the hospital of any insane person within the county in which such justices have jurisdiction, it shall be the duty of such justices to enquire into the fact of the insanity of such person, in the manner provided by chapter 34 of the acts of one thousand eight hundred and fifty-five, and if satisfied that such person is, by reason of insanity, unsafe to be at large, or is suffering any unnecessary duress or hardship, the justices shall, on such application and proof, commit such insane person to the hospital, provided there be at the time a vacancy for such patient therein, and shall, if necessary, make an order for payment of the expense of the care, maintenance, and removal of such insane person.

15. Whenever there are vacancies in the hospital, the board of commissioners may admit, under special agreement, cases for which admission is sought—a preference being given to those of most recent occurrence, and hence most likely to be benefited by hospital treatment.

16. When an insane person in indigent circumstances, whose insanity shall have commenced within a year prior to his or her admission, shall have been sent to the hospital by friends who have paid their bills therein for six months, upon an application under oath in his or her behalf, stating the inability to pay of the parties legally liable for his or her support, the application being endorsed by one of the commissioners of the hospital, the overseers of the poor, or other constituted authorities of the place of legal settlement of such insane person, are authorized and required to raise a sum of money sufficient to defray the expenses of such insane person for one year, and to pay the same to the treasurer of said hospital, and they shall repeat the same for two succeeding years, upon like application, duly verified.

17. Indigent persons and paupers shall be charged for medical attendance, board, and nursing, while residents of the hospital, no more than the actual cost, and patients who are not chargeable upon townships, districts, or counties, shall pay according to the terms directed by the commissioners, having relation to the accommodation desired and afforded.

18. The commissioners, (upon the medical superintendent's certificate of recovery, amendment, harmlessness, or unsuitableness), may discharge any patient, except those under a criminal charge, and the parties liable for the maintenance of such patients shall be duly notified of such discharge, and the terms thereof. Provided that patients under a criminal charge shall be discharged only by an order from the Governor in Council.

19. Parties committing insane patients to the hospital shall execute a bond, with sufficient security, for payment of expenses, which bond may be sued as often as shall be necessary and recovery had agreeably to chapter 144 of the revised statutes, "Of Summary Suits."

20. Before admission of a patient, there shall be produced a certificate, signed by two legally qualified medical men engaged

in actual practice, dated within one month previously, stating that within that time they have personally and separately examined such patient, and believe him or her to be insane.

21. No medical man shall be held responsible to any patient or their representatives for any certificate thus granted.

22. Resident officers and other employees of the hospital, while actually engaged as such, shall be exempt from militia duty, from serving on juries, from county and township offices, and from performance of statute labor.

23. The commissioners are authorized to take all proper and necessary steps to ensure to the hospital an ample supply of water, and to cause all such reservoirs, tanks, fountains, leaders, pipes, and tubes, as shall be requisite for that purpose, to be laid and placed at proper and convenient distances below the surface of any of the roads, streets, and highways of the township of Dartmouth, and it shall be lawful for the commissioners, after ten days notice given to the commissioners of streets for the township of Dartmouth, to break up and open such of those roads, streets, and highways, as may be necessary, and to keep the same open for a reasonable time, provided that such commissioners of the hospital shall faithfully and carefully close up, repair, and make good such roads, streets, and highways, or otherwise they shall be liable to defray all expenses that may be incurred by the commissioners of streets in closing up, repairing, and making good the same.

24. Whenever there shall be a necessity for the commissioners to enter upon and take possession of any lands, or lands covered with water, for the purpose of obtaining such supply of water, and they cannot agree with the proprietor of such lands, and lands covered with water, for the sale or lease thereof, as may be required, they may apply to the supreme court in term time, or to any two judges in vacation, by petition, stating the nature and position of the land, with the names of the owners or occu-

piers, so far as the same can be ascertained, and praying for the appointment of appraisers to value the land, and land covered with water, and the interest and estate therein required by the commissioners, and praying also the transfer, conveyance, and use thereof to such commissioners; whereupon the court or judges shall appoint a time and place for considering such petition, after proper notice in writing given to all parties interested to attend at such time and place to be so appointed for that purpose, and at such time and place such court or judges shall require the commissioners to nominate one appraiser, and the parties interested in such lands, and lands covered with water, to appoint one appraiser, and such court or judge shall appoint a third appraiser, and such appraisers shall be severally sworn to the faithful discharge of their duties before such court or judges, and shall thereupon proceed to make a just and equitable valuation and appraisement of the fair and reasonable value of such lands or of lands covered with water, or of the fair annual rent thereof, and such appraisers, or any two of them, shall make a return in writing, to the prothonotary of the supreme court at Halifax, to be by him filed in his office, and if such court or judges shall, on application of the commissioners, be of opinion that the appraisement or valuation has been fairly and impartially made, they shall by rule or order confirm the same, and thereupon the persons entitled to receive the amount of such valuation or appraisement shall be paid the same by the commissioners, together with such reasonable costs and expenses as such court or judges may direct.

25. Chapter thirteen of the acts of 1852, and chapter twenty-four of the acts of 1853, are hereby respectively repealed.

BYE - L A W S .

COMMISSIONERS.

1. The commissioners shall meet quarterly at the hospital, and as often there and elsewhere, at other periods, as business or circumstances may demand.

2. Special meetings of the board may be convened by the chairman, on his own authority, or on requisition from any three commissioners.

3. The annual meeting shall be held during the second week in January in every year; at which meeting all the officers of the board shall be elected.

4. At every meeting of the commissioners the minutes of the meeting immediately preceding shall be read, and, if approved, endorsed by the signature of the chairman.

5. Every motion or resolution, except that for adjournment, shall be placed on the table, in writing, by the commissioner moving the same.

6. At any meeting five commissioners shall constitute a quorum.

7. The hospital shall be visited every Wednesday by one or more of the commissioners.

8. The duty of the visiting commissioner shall be, to inspect the books and records of the institution; to view the wards and

premises appropriated to the use of the patients, as far as practicable; to examine their food, and see that all contracts in reference thereto are duly performed; and also to make enquiry relative to the health, treatment, and general condition of the inmates.

9. They shall make entries as to the result of their visitations, in a book to be kept at the hospital for that purpose.

10. The commissioners shall annually choose two of their number as auditors, who shall examine and report upon the accounts.

11. The commissioners shall invest, in approved securities, all bequests and donations in money intended for hospital purposes, in the name of the "Commissioners of the Provincial Hospital for the Insane," appropriating the interest and revenue accruing therefrom in accordance with the wishes and intentions of the donors and testators, so far as these can be ascertained and are practicable.

12. They shall deposit in one or more banks of the city, all legislative grants towards the support of the institution, and no sum shall be withdrawn therefrom unless by a cheque signed by the treasurer and countersigned by the chairman for the time being.

TREASURER.

1. The treasurer shall also act as secretary to the commissioners. He shall keep records of the proceedings of the board, and shall prepare all documents, statements or notices which may be directed by the board or by the chairman.

2. He shall keep a copy of all official correspondence.

3. He shall collect and disburse all monies due to the institution by patients, or to be derived from other sources not specified in clauses 11 and 12 relating to the duties of commissioners.

4. He shall keep a regular set of books, and once in each year, during the second week of January, or oftener, if required by the commissioners, exhibit an account of his receipts and expenditures, with accompanying vouchers for the examination of the board.

MEDICAL SUPERINTENDENT.

1. He shall with his family reside on the premises, and devote his whole time to the welfare of the institution.

2. He shall have the superintendence of the hospital, and of all buildings and grounds connected therewith, the oversight and charge of patients, and the general direction of all the concerns of the institution, subject to such regulations as may, from time to time, be established by the commissioners.

3. He shall visit all the patients or learn their condition daily, and as much oftener as may be necessary, and shall direct such medical, moral, and physical treatment, as may be best adapted to their relief.

4. He shall obtain, as far as practicable, a complete history of every patient admitted into the hospital, and shall keep, or cause to be kept, a register, showing the name, age, and residence of each, the time of reception and removal, the treatment adopted and its results—whether cured, relieved, or otherwise, and, if deceased, the cause of death.

5. Under the general direction and with the concurrence of the commissioners, he shall, from time to time, appoint such per-

sons as he may deem qualified to perform the duties of the various departments connected with the institution and premises, and shall determine their rate of salaries and wages.

6. He shall prepare a code of rules and regulations for the governance of those employed in the care of patients, or on the premises, which shall be printed, and a copy furnished to each person thus employed.

7. He shall enter into a written agreement with every person so employed, in which agreement it shall be specified, that not less than fourteen days notice shall be given by persons wishing their discharge; while he reserves to himself the right of dismissal, without notice, in case of any violation of rules, or improper conduct—when no payment shall be made beyond the time of actual service.

8. He shall see constantly that all persons employed in or about the hospital, perform faithfully their respective duties.

9. At the annual meeting of the commissioners he shall submit a written report of the condition, progress, and requirements of the institution.

STEWARD.

1. He shall give bonds (to be approved of by the government) for the sum of £ for the faithful discharge of his duties.

2. Under the direction of the superintendent he shall purchase fuel, stores, stock, and implements for the farm, and all other necessary articles; and shall be responsible for the economical use of the same.

3. He shall keep correct accounts of all his receipts and expenditures, and of charges against patients; and shall submit the

same to the commissioners, with proper vouchers quarterly, or as much oftener as may be required.

4. In all cases of purchase by the steward he shall require duplicate bills, on one of which he shall endorse an order upon the treasurer to pay the amount of the bill, and on the other take a receipt for the order given by him to the treasurer.

5. No order of the steward shall be paid by the treasurer, unless accompanied with the bill of items, and countersigned "approved" by the superintendent.

6. He shall receive visitors, give them all suitable information, and accompany them to such parts of the premises as the superintendent may direct.

7. He shall keep an accurate account of the clothing of all the male patients, and see that all such articles are properly marked and preserved.

8. If required by the superintendent he shall keep all domestic accounts, and shall readily perform all such further services as may be required of him.

THE MATRON.

1. She shall have the general direction of the domestic concerns of the hospital.

2. She shall attend to the cleanliness and good order of the apartments: to the cooking, sewing, clothing, and bedding; and shall take the general direction of the ironing, washing, and baking.

3. She shall see that all the female attendants are faithful and diligent in the discharge of their duties, and that they strictly observe all the regulations of the hospital.

4. She shall promptly acquaint the superintendent with any fact or circumstance that may come to her knowledge, likely to have a bearing upon the medical or moral treatment of the female patients.

5. She shall be ready at all times to perform whatever extra services may be required of her by the superintendent.

WATCHMAN.

1. He shall commence his services at nine o'clock in the evening, and shall continue until relieved by the steward in the morning. During this time he shall be constantly awake, faithful and vigilant in the discharge of his duty.

2. He shall perform a regular nightly patrol as specified and directed by the superintendent, who will regulate his period of rest.

3. He shall render such other service as may be required of him.

ATTENDANTS.

1. The attendants shall devote their whole time to the hospital, in the performance of such services as may be enjoined by the bye-laws, or as shall be required of them by the officers.

2. They shall never leave the hospital without permission from the superintendent, or from the steward or matron under his direction.

3. They shall always keep themselves well dressed in neat and clean apparel.

4. They shall abstain from intoxicating drinks and tobacco, and shall avoid the use of profane, obscene, or vulgar language, and treat each other with uniform civility. In all respects they shall exhibit a good example to the patients, and shall be held strictly responsible for the bad influence of their conduct.

5. They shall strictly observe and be governed by the code of regulations furnished them by the superintendent.

GENERAL VISITORS.

Strangers and others may be permitted to visit the hospital and premises on Tuesdays and Fridays, between the hours of two and five, p. m., under such restrictions as the superintendent, with the consent of the commissioners, may from time to time prescribe.

ADMISSION OF PATIENTS.

1. Before admission of a patient there shall be produced a certificate signed by two legally qualified medical men, engaged in actual practice, dated within one month previously, stating that within that time they have personally and separately examined such patient, and believe him or her to be insane.

2. A detailed written history of every case should be forwarded with the patient.

GENERAL RULES.

1. All persons employed in the hospital are expected to treat those engaged in the same service, on all occasions, with politeness and respect.

2. Every person receiving a salary or wages from the hospital, for any service, shall devote the whole of his or her time to the institution, and shall not be interested in any purchase or sale to which the hospital or a patient is a party; nor receive any present from a patient.

3. No person will be employed in or about the hospital who is known to be addicted to any immoral habits.

4. Attendants and others employed in the house are not to visit the friends of patients without permission of the superintendent.

5. No non-resident shall remain in the institution over night without the knowledge of the superintendent.

On behalf of the Commissioners of the Provincial Hospital for the Insane.

D. McN. PARKER, Chairman.

JAMES H. LIDDELL, Treas. and Sec'y.

THE foregoing Bye-Laws of the Hospital for the Insane, having been submitted to the Lieutenant-Governor in Council, were this day approved by His Excellency and the Council.

WILLIAM H. KEATING,
Deputy Clerk of the Council.

HALIFAX, N. S., August 29, 1858.

FORM OF CERTIFICATE.

I, the undersigned _____
being _____ and being in actual
practice, hereby certify that I, on the _____
day of _____ 18 ____ at _____
in _____ personally examined
_____ of _____
and that the said _____ is a
person of unsound mind, and a proper person to be taken charge
of, and detained under care and treatment

Name _____

Place of residence _____

Date _____